

**United States Bankruptcy Court  
Northern District of Georgia**

In re Thomas Joseph Murphy  
Cheryl Evangeline Murphy

Debtor(s)

Case No. 09-20570  
Chapter 7

**AMENDMENT COVER SHEET**

Amendment(s) to the following petition, list(s), schedule(s) or statement(s) are transmitted herewith:

1. Amended Schedule J to remove Debtor's employer as both Debtors are unemployed, removed Debtor's gross income, payroll deductions and added unemployment in the amount of \$330.00 per week.
2. Amended Debtor's statement of intention to show debtors are surrendering second mortgage and 2006 Ford F150.
3. Amended Sch B to add tax refund in the amount of \$1100.00.
4. Amended Sch C to add exemptions to tax refund in the amount of \$1100.00
5. Amended Sch ~~I~~ to remove second mortgage in the amount of \$867.00 and auto payment of \$669.00
6. Amended Summary of Schedules and Statistical Summary
7. Declaration Concerning Debtors Schedules
8. Amended Creditor Matrix

**NOTICE OF AFFECTED PARTIES**

Pursuant to Federal Rule of Bankruptcy Procedure 1009(a), I certify that notice of the filing of the amendment(s) listed above has been given this date to any and all entities affected by the amendment as follows:

**US Trustee Office**  
**Russell Federal Building**  
**75 Spring Street, SW**  
**Atlanta, GA 30303**

**Albert F. Nasuti**  
**40 Technology Parkway South**  
**Suite 300**  
**Norcross, GA 30092**

Date: March 20, 2009

/s/ Bob Phillips

**Bob Phillips 576702**  
Attorney for Debtor(s)  
**B. Phillips & Associates PC**  
**327 Dahlonga St**  
**Suite 901A**  
**Cumming, GA 30040**  
**770-205-1922 Fax: 770-205-0887**  
**bphill60@msn.com**

B6B (Official Form 6B) (12/07)

In re **Thomas Joseph Murphy,  
Cheryl Evangeline Murphy**

Case No. **09-20570**

Debtors

## SCHEDULE B - PERSONAL PROPERTY - AMENDED

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. Sec. 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Wachovia - Checking Account	J	50.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Furnishings for 3 Bedrooms, Living Room, Kitchen Appliances, and Television Sets Location: 5785 Bridle Court, Cumming GA	J	2,000.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		Personal Clothing for One Adult Male and One Adult Female Location: 5785 Bridle Court, Cumming GA	J	200.00
7. Furs and jewelry.		Wedding Rings and Costume Jewelry Location: 5785 Bridle Court, Cumming GA	J	100.00
8. Firearms and sports, photographic, and other hobby equipment.		Shotgun 9 Rifles 4 Pistols Location: 5785 Bridle Court, Cumming GA	J	1,800.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			

Sub-Total > **4,150.00**  
(Total of this page)

3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Thomas Joseph Murphy,  
Cheryl Evangeline Murphy**

Case No. **09-20570**

Debtors

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
10. Annuities. Itemize and name each issuer.	<b>X</b>			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	<b>X</b>			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.	<b>X</b>			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.		<b>2008 Tax Refund \$ 1100.00</b>	<b>J</b>	<b>1,100.00</b>
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			

Sub-Total > **1,100.00**  
(Total of this page)

Sheet **1** of **3** continuation sheets attached  
to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Thomas Joseph Murphy,  
Cheryl Evangeline Murphy**Case No. **09-20570**

Debtors

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2006 Ford F150 Pickup - 55,000 Miles Location: 5785 Bridle Court, Cumming GA</b>	<b>J</b>	<b>12,820.00</b>
		<b>2007 Ford F150 4x4 Pickup - 40,000 Miles Location: 5785 Bridle Court, Cumming GA</b>	<b>J</b>	<b>16,620.00</b>
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.		<b>Desk, 2 Computers, and 2 Printers Location: 5785 Bridle Court, Cumming GA</b>	<b>J</b>	<b>150.00</b>
29. Machinery, fixtures, equipment, and supplies used in business.	<b>X</b>			
30. Inventory.	<b>X</b>			
31. Animals.	<b>X</b>			
32. Crops - growing or harvested. Give particulars.	<b>X</b>			
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			

Sub-Total > **29,590.00**  
(Total of this page)

Sheet **2** of **3** continuation sheets attached  
to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Thomas Joseph Murphy,  
Cheryl Evangeline Murphy**

Case No. **09-20570**

Debtors

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
35. Other personal property of any kind not already listed. Itemize.		<b>2 ATV's</b>	<b>J</b>	<b>1,500.00</b>
		<b>1 - 3 Wheeler</b> <b>1 - 4 Wheeler</b> <b>Location: 5785 Bridle Court, Cumming GA</b>		
		<b>6 x 14 Trailer</b> <b>Location: 5785 Bridle Court, Cumming GA</b>	<b>J</b>	<b>500.00</b>

Sub-Total > **2,000.00**  
(Total of this page)  
Total > **36,840.00**

Sheet **3** of **3** continuation sheets attached  
to the Schedule of Personal Property

(Report also on Summary of Schedules)

B6C (Official Form 6C) (12/07)

In re **Thomas Joseph Murphy,  
Cheryl Evangeline Murphy**Case No. **09-20570**

Debtors

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT - AMENDED**Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)

- ☐ 11 U.S.C. § 522(b)(2)  
☒ 11 U.S.C. § 522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds  
 \$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b>Checking, Savings, or Other Financial Accounts, Certificates of Deposit</b>			
Wachovia - Checking Account	Ga. Code Ann. § 44-13-100(a)(6)	50.00	50.00
<b>Household Goods and Furnishings</b>			
Furnishings for 3 Bedrooms, Living Room, Kitchen Appliances, and Television Sets Location: 5785 Bridle Court, Cumming GA	Ga. Code Ann. § 44-13-100(a)(4)	2,000.00	2,000.00
<b>Wearing Apparel</b>			
Personal Clothing for One Adult Male and One Adult Female Location: 5785 Bridle Court, Cumming GA	Ga. Code Ann. § 44-13-100(a)(6)	200.00	200.00
<b>Furs and Jewelry</b>			
Wedding Rings and Costume Jewelry Location: 5785 Bridle Court, Cumming GA	Ga. Code Ann. § 44-13-100(a)(5)	100.00	100.00
<b>Firearms and Sports, Photographic and Other Hobby Equipment</b>			
Shotgun 9 Rifles 4 Pistols Location: 5785 Bridle Court, Cumming GA	Ga. Code Ann. § 44-13-100(a)(6)	1,800.00	1,800.00
<b>Other Liquidated Debts Owning Debtor Including Tax Refund</b>			
2008 Tax Refund \$ 1100.00	Ga. Code Ann. § 44-13-100(a)(6)	1,100.00	1,100.00
<b>Office Equipment, Furnishings and Supplies</b>			
Desk, 2 Computers, and 2 Printers Location: 5785 Bridle Court, Cumming GA	Ga. Code Ann. § 44-13-100(a)(6)	150.00	150.00
<b>Other Personal Property of Any Kind Not Already Listed</b>			
2 ATV's 1 - 3 Wheeler 1 - 4 Wheeler Location: 5785 Bridle Court, Cumming GA	Ga. Code Ann. § 44-13-100(a)(6)	1,500.00	1,500.00
6 x 14 Trailer Location: 5785 Bridle Court, Cumming GA	Ga. Code Ann. § 44-13-100(a)(6)	500.00	500.00

Total: **7,400.00** **7,400.00**

0 continuation sheets attached to Schedule of Property Claimed as Exempt

B6J (Official Form 6J) (12/07)

In re Thomas Joseph Murphy  
Cheryl Evangeline Murphy

Debtor(s)

Case No. 09-20570**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) -  
AMENDED**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>982.00</u>
a. Are real estate taxes included? Yes <u>X</u> No <u>    </u>		
b. Is property insurance included? Yes <u>X</u> No <u>    </u>		
2. Utilities:	\$	<u>300.00</u>
a. Electricity and heating fuel	\$	<u>51.00</u>
b. Water and sewer	\$	<u>74.00</u>
c. Telephone	\$	<u>115.50</u>
d. Other <u>See Detailed Expense Attachment</u>	\$	<u>0.00</u>
3. Home maintenance (repairs and upkeep)	\$	<u>450.00</u>
4. Food	\$	<u>0.00</u>
5. Clothing	\$	<u>0.00</u>
6. Laundry and dry cleaning	\$	<u>180.00</u>
7. Medical and dental expenses	\$	<u>606.67</u>
8. Transportation (not including car payments)	\$	<u>0.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>0.00</u>
10. Charitable contributions	\$	<u>0.00</u>
11. Insurance (not deducted from wages or included in home mortgage payments)	\$	<u>0.00</u>
a. Homeowner's or renter's	\$	<u>0.00</u>
b. Life	\$	<u>0.00</u>
c. Health	\$	<u>204.00</u>
d. Auto	\$	<u>58.00</u>
e. Other <u>Dental</u>	\$	<u>0.00</u>
12. Taxes (not deducted from wages or included in home mortgage payments) (Specify) <u>    </u>	\$	<u>0.00</u>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)	\$	<u>0.00</u>
a. Auto	\$	<u>676.00</u>
b. Other <u>Car 2 - 2007 Ford F150 4x4</u>	\$	<u>0.00</u>
c. Other <u>    </u>	\$	<u>0.00</u>
14. Alimony, maintenance, and support paid to others	\$	<u>0.00</u>
15. Payments for support of additional dependents not living at your home	\$	<u>0.00</u>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<u>72.00</u>
17. Other <u>Real Estate License</u>	\$	<u>0.00</u>
Other <u>    </u>	\$	<u>0.00</u>

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

\$	<u>3,769.17</u>
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19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:

**20. STATEMENT OF MONTHLY NET INCOME**

a. Average monthly income from Line 15 of Schedule I	\$	<u>2,816.66</u>
b. Average monthly expenses from Line 18 above	\$	<u>3,769.17</u>
c. Monthly net income (a. minus b.)	\$	<u>-952.51</u>

B6J (Official Form 6J) (12/07)

In re Thomas Joseph Murphy  
Cheryl Evangeline Murphy Debtor(s) Case No. 09-20570

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) - AMENDED**  
**Detailed Expense Attachment**

**Other Utility Expenditures:**

<u>Comcast</u>	\$	<u>61.50</u>
<u>Cell Phones</u>	\$	<u>54.00</u>
<u>Total Other Utility Expenditures</u>	\$	<u>115.50</u>

B6 Summary (Official Form 6 - Summary) (12/07)

**United States Bankruptcy Court**  
**Northern District of Georgia**

In re **Thomas Joseph Murphy,**  
**Cheryl Evangeline Murphy**

Debtors

Case No. 09-20570Chapter 7

**SUMMARY OF SCHEDULES - AMENDED**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	173,000.00		
B - Personal Property	Yes	4	36,840.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		263,388.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	6		73,970.82	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			2,816.66
J - Current Expenditures of Individual Debtor(s)	Yes	2			3,769.17
Total Number of Sheets of ALL Schedules		19			
Total Assets			209,840.00		
Total Liabilities				337,358.82	

**United States Bankruptcy Court**  
**Northern District of Georgia**

In re **Thomas Joseph Murphy,**  
**Cheryl Evangeline Murphy**

Debtors

Case No. 09-20570

Chapter 7

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	0.00
Student Loan Obligations (from Schedule F)	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	0.00

**State the following:**

Average Income (from Schedule J, Line 16)	2,816.66
Average Expenses (from Schedule J, Line 18)	3,769.17
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	3,400.00

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		60,948.00
2. Total from Schedule B, "AMOUNT ENTITLED TO PRIORITY" column	0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		0.00
4. Total from Schedule F		73,970.82
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		134,918.82

B6 Declaration (Official Form 6 - Declaration). (12/07)

**United States Bankruptcy Court  
Northern District of Georgia**

In re Thomas Joseph Murphy  
Cheryl Evangeline Murphy Debtor(s) Case No. 09-20570  
Chapter 7

**DECLARATION CONCERNING DEBTOR'S SCHEDULES - AMENDED**

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 21 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date March 20, 2009

Signature /s/ Thomas Joseph Murphy  
**Thomas Joseph Murphy**  
Debtor

Date March 20, 2009

Signature /s/ Cheryl Evangeline Murphy  
**Cheryl Evangeline Murphy**  
Joint Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

CREDITOR.TXT

Ford Motor Credit Corporation  
National Bankruptcy Center  
Po Box 537901  
Livonia, MI 48153

Home Comings Financial  
Attention: Bankruptcy Dept  
1100 Virginia Drive  
Fort Washington, PA 19034